



PAUL R. LePAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

PERMIT

AMENDMENT F TO BUILDING PERMIT BP 11430

The staff of the Maine Land Use Planning Commission, after reviewing the application and supporting documents submitted by Paul and Mary Kozolis for Amendment F to Building Permit BP 11430, finds the following facts:

1. Applicants: Paul and Mary Kozolis
2700 Coolidge Street
Hollywood, Florida 33020
2. Date of Completed Application: April 14, 2014
3. Location of Proposal: Rangeley Plantation, Franklin County
Lots #2, #3 & #6 on Rangeley Plantation Tax Map #14
4. Zoning: (D-RS3) Residential Recreation Subdistrict
5. Lot Size: 5.88 Acres (owned)
6. Principal Building: Proposed Permanent Home (32 ft. by 44 ft.)
7. Accessory Structures: Existing Driveway (8 ft. by 700 feet)
8. Sewage Disposal: Proposed Combined System
9. Building Permit BP 11430, issued to the applicants in December of 2001, authorized the construction of a 30 foot by 40 foot permanent home with an attached 20 foot by 40 foot deck and a driveway, and the installation of a combined sewage disposal system on the applicants' lot along Birches Beach Road.
10. Amendments A and B to Building Permit BP 11430, issued to the applicants in July of 2003 and October of 2005, respectively, extended the expiration date of Building Permit BP 11430.
11. Amendment C to Building Permit BP 11430, issued to the applicants in September of 2007 extended the expiration date of Building Permit BP 11430, and authorized a change in the permitted dimensions of the home to 40 feet by 40 feet.
12. Amendment D to Building Permit BP 11430, issued to the applicants in October of 2009, extended the expiration date of Building Permit BP 11430.
13. Amendment E to Building Permit 11430, issued to the applicants in April of 2012, extended the expiration date of Building Permit 11430.

14. The permitted driveway has been constructed. None of the other permitted development has been constructed.
15. The applicants now seek approval to extend the expiration date of Building Permit BP 11430 to allow construction of the previously permitted development, and to change the approved dimensions of the permitted home to 32 feet by 44 feet. No other changes are proposed.
16. The proposal complies with Sub-Chapter III of the Commission's Land Use Districts and Standards.
17. The facts are otherwise as represented in Building Permit Application BP 11430, Amendment Requests A through F, and supporting documents.

Based upon the above Findings, the staff concludes that if carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, § 685-B(4) of the Commission's Statutes, 12 M.R.S.

Therefore, the staff approves the application of Paul and Mary Kozolis with the following conditions:

1. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
2. Structures authorized under this permit, filled and graded areas and cleared openings created as part of construction activities authorized under this permit must be set back a minimum of 50 feet from Birches Beach Road and 15 feet from other property boundary lines.
3. All clearing of vegetation on the lot must comply with the Commission's standards for vegetative clearing and the development standards for buffering within the D-RS3 Subdistrict, Sections 10.27, B and 10.25, B, 2, copies of which are attached.
4. All filling and grading activities on the lot must comply with the Commission's standards for Filling and Grading, Section 10.27, F, a copy of which is attached.
5. The driveway must be maintained so that (a) it will not erode or create any undue restriction or disruption of existing surface water drainage ways and (b) it will divert runoff to a vegetated buffer strip so as to prevent it from directly entering a water body, mapped P-WL1 wetland or roadway.
6. The total height of the permitted structures may not exceed 30 feet as measured from the peak of the roof (excluding chimneys or antennae) to the lowest point of the structure, including the foundation, at grade along the downhill side for any portion of the structure within 500 feet of Mooselookmeguntic Lake.
7. Soil disturbance must not occur when the ground is frozen or saturated. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices shall be maintained to ensure proper functioning. All temporary sedimentation and erosion control devices shall be removed after construction activity has ceased and a cover of healthy vegetation has been established or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
8. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.

9. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
10. The permittees shall secure and comply with all applicable licenses, permits, authorizations, and requirements of all federal, state, and local agencies including but not limited to: Air and Water Pollution Control Regulations; Subsurface Wastewater Disposal System approval from the Local Plumbing Inspector and/or Maine Department of Health and Human Services, Subsurface Wastewater Program.
11. Once construction is complete, the permittees shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittees shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.
12. All conditions of Building Permit BP 11430 and Amendments A through E are superseded by the conditions of Building Permit BP 11430 F.

This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above stated conditions, and remains valid only if the permittees comply with all of these conditions. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Regulation Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT WEST FARMINGTON, MAINE, THIS 14th DAY OF APRIL, 2014.

By: _____

for Nicholas Livesay, Director